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DEPARTMENT OF COMMERCE

International Trade Administration

[A-357-820]

Biodiesel from Argentina: Rescission of Antidumping Duty Administrative Review; 2017-2019

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) is rescinding the administrative review of the antidumping duty (AD) order on biodiesel from Argentina for the period October 31, 2017, through March 31, 2019.

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Mark Hoadley, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4880.

SUPPLEMENTARY INFORMATION:

Background

On April 1, 2019, Commerce published a notice of opportunity to request an administrative review of the AD order on biodiesel from Argentina for the period October 31, 2017, through March 31, 2019.<sup>1</sup> On April 26, 2019, the petitioner<sup>2</sup> filed a timely request for

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<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 84 FR 12207 (April 1, 2019).

<sup>2</sup> The petitioner is the National Biodiesel Board Fair Trade Coalition, which includes the National Biodiesel Board; American GreenFuels, LLC; Archer Daniels Midland Company; Ag Processing Inc a cooperative; Crimson Renewable Energy LP; High Plains Bioenergy; Integrity Biofuels, LLC; Iowa Renewable Energy, LLC; Lake Erie Biofuels dba HERO BX; Minnesota Soybean Processors; New Leaf Biofuel, LLC; Newport Biodiesel, LLC; Renewable Biofuels, LLC; Renewable Energy Group, Inc.; Western Dubuque Biodiesel, LLC; Western Iowa Energy, LLC; and World Management Group LLC dba World Energy.

review of 18 exporters and importers, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b).<sup>3</sup> Pursuant to this request, and in accordance with section 751(a) of the Act and 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the order.<sup>4</sup> On July 18, 2019, Commerce placed entry data on the record for purposes of respondent selection.<sup>5</sup> On July 25, 2019, the petitioner, LDC Argentina S.A. (LDC), and Vicentin S.A.I.C. (Vicentin), submitted comments on the respondent selection data.<sup>6</sup> On July 30, 2019, the petitioner, LDC, and Vicentin submitted rebuttal comments regarding the respondent selection data.<sup>7</sup> On September 10, 2019, the petitioner filed a timely withdrawal of request for the administrative review with respect to all entities for which it had requested a review.<sup>8</sup>

### Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the party that requested the review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. As noted above, the petitioner, who was the only party to file a request for review, withdrew its request by the 90-day deadline. Accordingly, we are rescinding the administrative review of the AD order on biodiesel from Argentina for the period August 28, 2017, through December 31, 2018, in its entirety.

### Assessment

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<sup>3</sup> See Petitioner's Letter, "Biodiesel from Argentina: Request for Administrative Review of Antidumping Duty Order," dated April 26, 2019.

<sup>4</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 27587 (June 13, 2019).

<sup>5</sup> See Memorandum, "Administrative Review of the Antidumping Duty Order on Biodiesel from Argentina; 2017-2019; Customs Entry Data for Respondent Selection," dated July 18, 2019.

<sup>6</sup> See Petitioner's Letter, "Biodiesel from Argentina: Comments on CBP Data and Respondent Selection," dated July 25, 2019; see also LDC's and Vicentin's Letter, "Biodiesel from Argentina: Certification of No Shipments and Comments on U.S. Customs Entry Data for Respondent Selection," dated July 25, 2019.

<sup>7</sup> See Petitioner's Letter, "Biodiesel from Argentina: Coalition Rebuttal Comments on CBP Data and Respondent Selection," dated July 30, 2019; see also LDC's and Vicentin's Letter, "Biodiesel from Argentina: Rebuttal Comments on U.S. Customs Entry Data for Respondent Selection," dated July 30, 2019.

<sup>8</sup> See Petitioner's Letter, "Biodiesel from Argentina: Withdrawal of Request for Administrative Review of Antidumping Duty Order," dated September 10, 2019.

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess AD duties on all appropriate entries of biodiesel from Argentina. AD duties shall be assessed at rates equal to the cash deposit of estimated AD duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP 15 days after the date of publication of this notice in the *Federal Register*.

#### Notification to Importers

This notice serves as a reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of AD or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of duties occurred and the subsequent assessment of doubled duties.

#### Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to all parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: November 26, 2019.

James Maeder,  
Deputy Assistant Secretary  
for Antidumping and Countervailing Duty Operations.

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